

A Special Meeting of the
Brian Head Town Council
Town Hall Council Chambers
56 N. Hwy 143, Brian Head, UT 84719
WEDNESDAY JUNE 19, 2013 @ 2:30 PM

Roll Call.

Members Present: Mayor H.C. Deutschlander, Council Member Larry Freeberg, Council Member Clayton Calloway, Council Member Jim Ortler, Council Member Linda Ames.

Staff Present: Bret Howser, Nancy Leigh, Chet Hovey (Town Engineer).

A. CALL TO ORDER

Mayor Deutschlander called the special meeting of the Town Council to order at 2:35 pm

D. CLOSED SESSION OF THE TOWN COUNCIL. To discuss the sale, exchange, lease or purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction; a strategy session to discuss collective bargaining and discuss the sale of real property.

Motion: Council Member Calloway moved to enter into closed session to discuss the sale, exchange lease or purchase of real property. Council Member Ames seconded the motion.

Action: **Motion carried 5-0-0, roll call vote (summary: Yes = 5 Vote: Yes: Mayor Deutschlander, Council Member Freeberg, Council Member Calloway, Council Member Ortler, Council Member Ames).**

The Council entered into closed session at 2:35 p.m.

Motion: Council Member Ortler moved to adjourn the closed session and reconvene the special meeting of the Town Council. Council Member Calloway seconded the motion.

Action: **Motion carried 5-0-0, roll call vote (summary: Yes = 5 Vote: Yes: Mayor Deutschlander, Council Member Freeberg, Council Member Calloway, Council Member Ortler, Council Member Ames).**

E. RECONVENE MEETING

The special meeting of the Town Council was reconvened at 3:07 PM.

F. AGENDA ITEMS

1. ACTION FROM CLOSED SESSION. The Council will determine if any action will need to be taken regarding discussions from the closed session.

Council Member Ortler explained staff was given direction to negotiate a land exchange with the resort. Council held discussion on the following:

1. The town will trade the 0.6 acres of land for 0.45 acres and in return the town will write off the open invoice of \$17,392.11 for the skier village professional services (see attached invoice).
2. The Council will address as a separate issue an amendment of the Interconnect Agreement with the Resort as it pertains to the high speed quad installation at a later time.
3. The resort will grant a motorized/multi-use trail easement to the town.
4. The town will install a culvert on the south side of the unnamed access road to the reservoir at the town's expense and will adhere to the town's land management code requirements.
5. The town will cooperate with the resort on exporting dirt to areas which benefit the skiers.
6. The resort is requesting the town give up the snowmobile trail easement which runs along the east side of highway 143, south side of the bridge. Council Member Ames commented she would like to review the issue before a decision is made. **Consensus of the Council:** Will be addressed at a later time as a separate issue.
7. The Resort is requesting the town abandon the unnamed access road.

8. The Resort is requesting the town grant a variance for setbacks for resort properties located adjacent to the reservoir. Council Member Ames explained the request for a setback variance is a Planning Commission process and must go through the process for approval.
9. The Resort is requesting the town grant easements/licenses not covered by the Baker easement.
10. Discussion was held regarding the snowmobile trail running through an existing easement under the interconnect bridge to the south end of Brian Head.

Mayor Deutschlander requested the Council address Agenda Item #3, Fuel Pump Dispenser at this time to give the resort staff time to discuss items which pertain to the reservoir project. See Agenda Item #3.

Mac Hatch, Brian Head Resort, requested the following items from the Council for the land exchange and reservoir project:

1. The resort will do a land exchange for the Resort's 0.45 piece of property for the 0.6 acres of the town's property.
2. The town writes off the \$17,000 invoice for the skier village project.
3. Will grant a license for the ATV/multi-purpose trail which runs between Evergreen Condos and Edleweiss Condos.
4. The town will haul in dirt to the south side of unnamed access road and installs a culvert at the town's expense.

Motion: Council Member Ortler moved to write off the resort's open invoice of \$17,392.11 for the skier village professional services. Council Member Calloway seconded the motion.

Action: **Motion carried 5-0-0, roll call vote (summary: Yes = 5 Vote: Yes: Mayor Deutschlander, Council Member Freeberg, Council Member Calloway, Council Member Ortler, Council Member Ames).**

Motion: Council Member Ortler moved to authorize the Mayor to sign a land exchange agreement with Brian Head Acquisition Partners LLC for the exchange of 0.45 acres of resort property for 0.6 acres of town property and the resort will coordinate on a license/easement for the motorized trail located in the 0.6 acres of property. Staff will also coordinate efforts to export dirt to fill areas. Council Member Calloway seconded the motion.

Mac Hatch, Brian Head Resort, requested the Council clarify the motion regarding the exporting of the dirt to the location south of the unnamed access road.

Motion: Council Member Ortler moved to clarify his motion regarding the placement of excess dirt from the reservoir to the south side of the unnamed access road. Council Member Calloway seconded the motion.

Action: **Motion carried 5-0-0, roll call vote (summary: Yes = 5 Vote: Yes: Mayor Deutschlander, Council Member Freeberg, Council Member Calloway, Council Member Ortler, Council Member Ames).**

3. **BID AWARD FOR TOWN HALL FUEL PUMP DISPENSER.** Bid award for the fuel pump dispenser for the town hall fuel pumps.

Nancy Leigh, Town Clerk, presented the bid for the fuel pump dispenser for the town hall and a control system (see attached). Nancy explained the town received one bid from Fuel Tec in the amount of \$21,839.04 which is for a used system which will meet the needs of the town and is approximately \$10,000 less than originally budgeted for.

Motion: Council Member Ames moved to award the fuel pump dispenser and control system to Fuel Tec in an amount not to exceed \$21,839.04 as presented. Council Member Calloway seconded the motion.

Discussion took place regarding the amount of time the new system would take to pay for itself. Nancy responded the system should pay for itself within three to four years. Currently the town is expending money in repairs due to its age of the equipment and the town has experienced a loss of sales when the system is down and waiting for repairs.

Action: **Motion carried 5-0-0, roll call vote (summary: Yes = 5 Vote: Yes: Mayor Deutschlander, Council Member Freeberg, Council Member Calloway, Council Member Ortler, Council Member Ames).**

2. **BRIAN HEAD RESTORATION RESERVOIR PROJECT.** Additional projects for the reservoir project.

Chet Hovey, Town Engineer, distributed two options for the additional projects for the reservoir project: Option C and Option D (see attached). The Council discussed the following:

1. Option D identifies a 2-1 slope and could theoretically maintain the slope without the armor coat until a later time if the Council determines to defer some of the additional items for the reservoir.
2. Approximate costs for the beaches are \$10,000 p/beach area.
3. Whether the town should consider holding off on some projects until a later time due to funding issues. Council Member Ames suggested the Council consider looking at what needs to be constructed
4. Staff will contact Brian Head Acquisition Partners LLC, who own properties in the Steam Engine Meadows subdivision for use of rock for the reservoir instead of importing rock to the site. Staff will also research the town owned lots in Steam Engine Meadow to determine if there is available rock on the properties that could be used for reservoir.
5. Mac Hatch, Brian Head Resort, requested the Council consider a beach on the side where the resort owns property adjacent to the reservoir.
6. The repeater for the SCADA system will have electrical, no solar.
7. Whether the fishing dock should be installed during construction of the reservoir or at a later time. The cost is approximately \$38,000.
8. Council Member Ortler stated the town has access to four million dollars available for the project from different funding sources and would recommend the Council complete the reservoir project as a whole project instead of waiting to piece together different projects later.
9. Whether the Council should consider using the USDA funds to complete another water project; waterline from the town hall well to the mammoth tank.
10. Chet explained there will be several large partial pay requests next month which will be using a majority of the USDA funds and the Council may want to consider short term funding for this project.
11. Bret presented a spreadsheet identifying the funding sources and contingencies for the project (see attached).
12. Staff will complete a detailed summary sheet for the engineering costs for the reservoir cost for the Community Impact Board application.

Consensus of the Council:

1. The design will identify three areas of beaches with small rock/gravel instead of sand.
2. The fishing dock will be advertised for a request for bids and will be part of the construction of the reservoir.
3. Will have rock walls with armor coat installed.
4. Staff will identify a contingency to sufficiently cover unexpected expenditures.

G. ADJOURNMENT

Motion: Council Member Calloway moved to adjourn the special meeting of the Town Council for June 19, 2013. Council Member Ames seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Mayor Deutschlander, Council Member Freeberg, Council Member Calloway, Council Member Ames. Absent: Council Member Ortler).**

The special meeting of the Brian Head Town Council was adjourned at 4:55 pm for June 19, 2013.

July 23, 2013

Date Approved

Nancy Leigh, Town Clerk